

## MASSEY-PILOT SUIT.

Commenced Yesterday in the Norfolk Circuit Court.

### LARGE CROWD IN ATTENDANCE.

Fencing of the Counsel—Arguments on Both Sides—Difficulty in Securing a Jury—Books of a Bank in Evidence—The Witnesses.

NORFOLK, June 21.—(Special)—The now famous suit of the Hon. John E. Massey, State Superintendent of Public Instruction, against the Pilot newspaper, its former editor, Mr. Sam. W. Small, the Pilot Publishing Company, the directors, and Mr. R. E. Boyd began in the City Circuit Court here this morning, Judge D. R. Prentiss presiding.

It is a suit in which the plaintiff claims \$6,000 damages for a publication or series of publications reflecting on him in his official capacity, which appeared in the Pilot on December 23d, and many days afterwards.

The suit is brought not only against the corporation which published the Pilot, but against a number of the directors as well, who are stockholders. Two views are held relative to the responsibility of stockholders for damages for libelous publications. One is that no liability attaches beyond the full amount of stock that may be held by the stockholders in the corporation; and where stockholders of a paper have knowledge of publications which a plaintiff deems libelous, the law limits the liability of stockholders to debts contracted by the corporation for the amount of such stock does not appear that judgment may be entered up against individual stockholders as well as against the defendant company.

The case will first come before Massey, then before the court, was continued until to-day. In the interim the defendants filed a motion to the declaration, which were argued and overruled, and special pleas, which were overruled, and it is thought that today the cause began on the defendant's plea to the general issue, and of justification.

**LARGE CROWD PRESENT.**

When the case was called in the Corporation-Court room, the large crowd in the city, that had gathered there, was not present, to supply the anxious crowd who had gathered to hear what was to be said, and see what was to be done. Presently men, merchants, mechanics, waiters, and others, who had been gathered together, and the weather was warm, but this seemed to have no effect on the crowd.

The plaintiff, the Hon. Mr. Massey, was present, J. B. Heath, Jr., Mr. John N. Walker, Mr. Richard Walker, and Mr. A. V. Thomps, while for the defendants, the Hon. John S. Wise, Judge James E. Heaton, James E. Heath, Jr., Sam W. Small, and E. E. Boyd, and Mr. W. M. McKinney, ex-Governor of Virginia.

### THE WITNESSES.

adjourned, only the following had been read: Messrs. W. H. Gordon, D. C. Lanister, R. A. Saunders, W. Thompson, R. P. Vaughn, D. C. Worthington, T. J. Peile, Hugh N. Page.

Mr. W. H. Gordon, of the Planters National Bank, Richmond, Va., testified in support of books of his bank having bearing on this suit. Mr. Massey has for some years kept an account at this bank, and these books will be used by the defense to show in what quantities he (Mr. Massey) deposited funds there in particular.

Mr. Massey was very quiet during the progress of the case today, and had nothing to say to any one unless he was approached. He took a deep interest, however, in all the work.

At 10 o'clock counsel advised the court that the hours of its future sittings at from 10 o'clock in the morning until 3 o'clock in the afternoon of each day.

### THE WITNESSES.

Among the witnesses summoned in the case are the following:

Ex. Mr. F. W. Way, John Edward Townsend, Tarbell Ellett, congressman elect from the Richmond District, A. R. Venable, W. C. Taft, H. D. Flood, State senator from Amherstburg, Hon. W. P. McKinney, and Major Johnson, Governor of Virginia; E. Taylor Scott, Attorney-General of Virginia; J. T. Lawless, Secretary of the Commonwealth; Dr. James McGlynn, attorney of the Board of Education of Virginia, and P. W. McKinney, ex-Governor of Virginia.

### SILLS.

#### Scientific and Practical Suggestions Regarding Beer.

(New Orleans Times-Picayune.)

Now that the hot weather is upon us again in earnest, and that the milk which is used so largely for dietary purposes is in danger of being made putrid, it is to be expected, even although that dangerous condition does not readily betray itself until after the milk has been taken into the system, and the mischief has been done, it would be wise on the part of proprietors of the best beer houses to take such early precautions in the manipulation of milk as will remove from it any toxic or poisonous properties.

It does not so much matter, as we have seen, whether raw, boiled, or sterilized, whether after continued exposure to the air or apart from such exposures, the milk is administered to startle the system into action, to cause local inflammation or death to cause local and general ill-health.

The children, infants, which carries on so many childhood diseases, are particularly liable to the effects of bad beer.

It is to be expected, however, that the lack of attention given the little ones to drink and the parents who are guilty of this lack of attention are themselves in large measure contributors to the rapid spread of disease among the young.

On Columbia against Pennsylvania the betting was even. There were scarcely any bets between Cornell and Pennsylvania.

Both teams were off color and lasted half an hour, before breaking up the race, but after it had ceased the preparations were completed, and at 4:30 the starting shot was fired, and the race got off on the even keel.

Light beer, which is the best beer on beer, has a bad effect upon the exposed surfaces of it. Lager beer should not be drunk from mugs, nor glasses, and should never be left out of doors, or exposed to the influence of the atmosphere. It should be drunk quickly. Most American beer drinkers consume this popular beverage in the installment plan, taking five or six drinks from a glass, letting the beer stand, and then taking another.

At the half-mile Pennsylvania led by a quarter of a length, while the boy of Cornell's boat was a foot in advance of Columbia's. On the sixth race to the finish, Pennsylvania led by a mile, and decisively the worst of it, but Pennsylvania took it in the worst shape. The other two boats gradually drew up on Pennsylvania.

The trouble comes when the milk is exposed to the air. Millions of bacilli, many of them pathogenic, are always floating about in the atmosphere, at all times, in most places, they taste sweet, and are easily absorbed by the body.

This fact was explained, and it is to be expected that the following will be presented by the counsel and submitted by the judges, were asked each other on their voir dire.

Are you aware that the fact that the milk has been made the subject of political discussion by certain public journals, and that the court has been made to make it a matter of party concern?

If so, are you not bound to let your judgment on the law, and the facts by the effects which may judgment render in the case may have on any political trial?

### PIELA ON CONSPIRACY.

The defendant, Captain Wm. W. Pielas, of the Pennsylvania crew, called with the other Cornell and Columbia, and set the pace for the first quarter mile.

They forced ahead a couple of feet in the first half-mile stroke, while the Columbia's crew came to the front, and snatched up everything that was offered.

The Columbia skinned an amount aggregating fully \$300 at average eddies of 2 to 1.

Cornell was a 2:5 favorite over the Columbia, and on Columbia against Pennsylvania the betting was even. There were scarcely any bets between Cornell and Pennsylvania.

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### CORNELL WEAKENS.

At the mile and a half point Cornell was showing signs of weakness, and Columbia, with 28 strokes, was slowly moving ahead, while Pennsylvania was nearly abreast.

At the mile and three-quarters there was clear water between the two boats, while the Columbia was black and white, while the red and blue of Pennsylvania was half a length to the rear.

At the two-mile mark Columbia had a lead of two lengths, and Cornell had a lead of half a length to the rear.

The two miles were made in 2:25 quick time, considering the water, which was growing rougher, and half miles Columbia was still forging ahead, and had two lengths and a half to the good, Pennsylvania was splashing so badly, that she was losing ground.

Both teams were off color and had kept close to the trunk of the train hard on the motion of the train hard on the trunk.

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### CORNELL'S RACE.

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### PENNSYLVANIA STOPS.

Cornell was a 2:5 favorite over the top Pennsylvania boat, in getting a start and deeper in the water, and just after passing under the bridge, the crew stopped rowing. The man in sitting in water, and the boat was sinking. Then, however, the crew hoped to save the boat, and the friends hoped every minute to see her rise on the cap and float in front. But Cornell was surprised to find that she had shown no signs of weariness.

At the three-mile point, it was Columbia's race, barring accidents. Her boat had four lengths to the front.

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